

REMARKS

Claims 1-39 are pending in this application. By this Response, the title of the invention has been amended. Attached hereto is a marked-up version of the changes made to the title by the current amendment. The attached page is captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE."

In paragraph 1 of the Office Action, the Examiner requests a new title that is indicative of the invention. In response, Applicant has amended the title to more clearly indicate the invention.

In paragraph 2 of the Office Action, the Examiner rejects claim 3 as being indefinite. Specifically, the Examiner states: "No output for the time determination is present. It appears to be a value that is calculated but not used."

Dependent claim 3 reads:

The elevator communication system of claim 1, wherein the cab computer determines an elevator ride duration from the data received from the elevator control system.

The Applicant is confused as to the Examiner's rejection. Claim 3 clearly recites that the cab computer receives data from the elevator control system and determines an elevator ride duration. A simple subtraction, or other suitable time duration method can be programmed into the cab computer by one skilled in the art. Therefore, Applicant respectfully traverses the Examiner's rejection and requests reconsideration.

In paragraphs 3-4 of the Office Action, claims 1, 2, 4, 14, 18, 20, 22, 28, 33, 34, 37, 38 and 39 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 5,844,181 ("Amo"). As discussed below, Applicant respectfully traverses this rejection.

A. The Law of Anticipation and Enabling Prior Art References

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. M.P.E.P. § 2131. The identical invention must be shown in as complete detail as is contained in the claim. *Id.*

However, Applicant submits that independent claims 1 and 37 have elements that cannot be found, either expressly or inherently, in Amo. For example, claim 1 recites, in part, that the cab computer performs the step of receiving data from the elevator control system. Similarly, claim 37 recites, in part, a method of presenting information in an elevator cab that includes the step of relaying data from an elevator control system to an apparatus.

Thus, in both claims 1 and 37, data is obtained from the elevator control system.

In contrast, Amo specifically teaches away from obtaining data from the elevator control system. "A further object of the invention is to provide time sensitive information to the display units, and to provide such information independent of elevator operation." (Summary of the Invention, col. 2, lines 43-45). "Futhermore, by providing a display which is separate to the existing elevator control system obviates the need to obtain authorization from elevator service companies . . ." (col. 3, lines 65-67 and col. 4, lines 1-2).

Therefore, Amo teaches directly away from elements that are recited in Applicant's independent claims 1 and 37. Consequently, Applicant respectfully traverses this rejection, and requests reconsideration.

In paragraphs 5-9 of the Office Action, the Examiner rejects all of the remaining claims as unpatentable under 35 U.S.C. § 103. Applicant respectfully traverses this rejection. Applicant notes that all of the remaining claims depend from either independent claim 1 or 37. Because these claims depend from claim 1 or 37, it is respectfully submitted that the rejection of

these claims has been traversed by virtue of their dependency from either claim 1 or 37.


M.P.E.P. § 2143.03.

Conclusion

Applicant believes that this Response has addressed all items in the Office Action and now places the application in condition for allowance. Accordingly, favorable reconsideration and allowance of claims 1-39 at an early date is solicited. Should any issues remain unresolved, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

1.6.03
Date


Peter R. Martinez
Attorney for Applicant(s)
Reg. No. 42,845
c/o LUCE, FORWARD, HAMILTON
& SCRIPPS LLP
11988 El Camino Real, Ste. 200
San Diego, California 92130
Telephone No.: (858) 720-6300

VERSION WITH MARKINGS TO SHOW CHANGES MADE

In The Title

Please replace the title with the following new title:

al **INTERACTIVE ELEVATOR COMMUNICATION SYSTEM**

In The Title

On the cover page, and on page 1, please insert "INTERACTIVE" before --ELEVATOR--.